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# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry

### The Gazette of Puducherry

#### PART - II

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#### GOVERNMENT OF PUDUCHERRY LOCAL ADMINISTRATION SECRETARIAT

(G. O. Ms. No. 21/LAS/2017, Puducherry, dated 25th September 2017)

#### NOTIFICATION

In exercise of the powers conferred by sub-section (2) of section 113, read with sub-section (1) of section 440 of the Puducherry Municipalities Act, 1973 (Act No. 9 of 1973) and sub-section (2) of section 71, read with sub-section (1) of section 318 of the Puducherry Village and Commune Panchayats Act, 1973 (Act No. 10 of 1973), the Government hereby makes the following rules

to regulate the method of recruitment, conditions of service, pay and allowances and discipline and conduct in respect of the Combined Common Engineering Service for Municipalities and Commune Panchayats in the Union territory of Puducherry, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Puducherry Combined Common Engineering Service for Municipalities and Commune Panchayats (Conditions of Service) Rules, 2017.

(2) They shall come into force on and from the date of their publication in the Official Gazette.

2. *Definitions.*— In these rules, unless the context otherwise requires,—

(1) "Act" means the Puducherry Municipalities Act, 1973 (Act No. 9 of 1973) or the Puducherry Village and Commune Panchayats Act, 1973 (Act No. 10 of 1973) as the case may be;

(2) "Appointed to Service" means a person, who is said to be appointed to a Service in accordance with these rules, or in accordance with the rules applicable at the time, as the case may be, he discharges for the first time the duties of a post borne on the cadre of such service or commences the probation, instruction or training if any, prescribed for Members thereof;

(3) "Appointing Authority" means the authorities specified under rule 21 of these rules, who are empowered to make appointment for the posts included in rule 3 of these rules;

(4) "Approved candidate" a person is said to be an approved candidate for the Puducherry Combined Common Engineering Service for the Municipalities and Commune Panchayats if, his name appears in the authoritative list of candidates selected for appointment to the aforesaid service, class or category;

(5) "Approved probationer" means a Member of the aforesaid service, class or category who has satisfactorily completed his probation and awaits appointment as a full Member of the Service, class or category;

(6) "Cadre" means the strength of a service or a part of the service sanctioned as a separate unit;

(7) "Cadre Post" means any post specified in the Schedule and includes temporary posts carrying the same designation as that of any of the posts specified in that Schedule and the scale of pay of which is identical to that attached to the service and any other temporary post declared as Cadre Post by the Government;

(8) "Director" means the Director, Local Administration Department;

(9) "Direct recruit" a person is said to be direct recruit when he is not already a Member of the service to which the Direct Recruitment is made;

(10) "Discharge of a Member of a service", means dispensing with his service for want of a vacancy;

(11) "Duty" A person is said to be "on duty" as a Member of the service-

(a) when he is performing the duties of a post borne on the cadre of such service or is undergoing the probation, instruction or training if any, prescribed for the service;

(b) when he is on joining time; or

(c) when he is absent from duty during vacation or on authorized holidays or on casual leave taken in accordance with the instructions regularizing such leave issued by the Government, having been on duty immediately before and immediately after such absence;

(12) "Full Member" full Member of the service means a Member of that service who has been appointed substantively to a permanent post borne on the cadre thereof;

(13) "Government" means the Government of Puducherry;

(14) "Head of Office" means the Commissioner of Municipality or Commune Panchayat concerned;

(15) "Head of Department" means the Director, Local Administration Department;

(16) "Initial recruitment" means the first recruitment and appointment made to the service;

(17) "Local Fund Examiner", means the officer appointed by the Government as Local Fund Examiner to audit the accounts of the Municipalities and Panchayats;

(18) "Member of a Service" means a person who has been appointed to the Service and has not retired or resigned or has been removed or dismissed or been discharged otherwise than for want of a vacancy. He may be a probationer, an approved probationer or a full Member of the service;

(19) "Municipality" shall mean and include every municipality constituted under the Puducherry Municipalities Act, 1973 (Act No. 9 of 1973);

(20) "Panchayat", shall mean an institution of self-government constituted under the Puducherry Village and Commune Panchayats Act, 1973 for the rural areas called "village panchayat" at the panchayat village level and "commune Panchayat council" at the commune level;

(21) "Probation" means testing of a person's conduct, work and character before he is admitted to regular appointment or full membership of the service;

(22) "Probationer" means a Member of the service who has not completed his probation;

(23) "Promotion" means the appointment of a Member of any category of a service or a class of service to a higher category of such service or class;

(24) "Recruiting authority", shall mean the authority competent to recruit or select candidates for appointment to the Service, class or category, as prescribed in the Recruitment Rules;

(25) "Reversion" shall mean the reversion of a member of a class or category of a Service to a lower class or category of such service for want of a vacancy;

(26) "Scheduled Caste" means the list of castes notified by the Government from time to time;

(27) "Selection Committee" shall mean the committee mentioned in rule 20 of these rules;

(28) "Service" means the Puducherry Combined Common Engineering Service for Municipalities and Commune Panchayats;

(29) "Selection Posts" means post to which appointment is made on ground of merit and ability, the seniority being counted where merits are approximately equal only.

(30) "Transfer" shall mean the posting of a person holding a post under Municipal Council or Commune Panchayat Council to an identical post under another Municipal Council or Commune Panchayat Council.

3. *Constitution of service and its classification.*— (1) The Puducherry Combined Common Engineering Service for Municipalities and Commune Panchayats shall consist of the following categories, namely:-

GROUP 'A'	
Category I	.. Superintending Engineer
Category II	.. Executive Engineer
GROUP 'B'	
Category III	.. (i) Assistant Engineer (Civil) .. (ii) Assistant Engineer (Sanitation)
Category IV	.. (i) Junior Engineer (Civil) .. (ii) Junior Engineer (Mechanical) .. (iii) Junior Engineer (Electrical) .. (iv) Draughtsman Grade-I .. (v) Draughtsman Grade-II .. (vi) Overseer
GROUP 'C'	
Category V	.. (i) Work Inspector

(2) This "The Puducherry Combined Common Engineering Service for the Municipalities and Commune Panchayats" is constituted by absorbing the existing officers in the Engineering Wing in all the Municipalities and Commune Panchayats in the categories of Work Inspector, Overseer, Draughtsman (Gr.I/Gr.II), Junior Engineer (Civil/ Mechanical/Electrical), Assistant Engineer (Civil/ Sanitation), Executive Engineer and Superintending Engineer.

(3) With effect from the date of notification of these rules in the Official Gazette, the officers in the categories of Work Inspector, Overseer, Draughtsman (Gr.I/Gr.II), Junior Engineer (Civil/ Mechanical/ Electrical), Assistant Engineer (Civil/Sanitation), Executive Engineer and Superintending Engineer in all the Municipalities and Commune Panchayats shall *suo motu* be absorbed into the aforesaid service.

4. *Selection post.*— All the posts mentioned under rule 3 are selection posts.

5. *Creation of posts.*— (1) The Government may create from time to time as many cadre posts as may be necessary.

(2) The Government may create temporary posts in the service and such posts shall be filled in the same manner as permanent posts.

6. *Pay and allowances.*— Every Member of the service shall be paid pay and all allowances as admissible to the corresponding category/post in Government Services.

7. *Bonus.*— The Members of the service shall draw *ad hoc* bonus as applicable to the corresponding categories of Government servants.

8. *Source of funds for payment of pay and allowances, bonus, etc.*— The Members of the service shall draw pay, allowances, bonus, *etc.* from the own funds of the respective Municipality or Commune Panchayat to which they are posted.

9. *Reservation.*— The reservation of posts shall be in accordance with the rules and orders issued by the Government from time to time, as applicable to Government service.

10. *Method of appointment, qualification and age.*— The method of recruitment to the said posts, age limit, qualifications and other matters except composition of Selection Committee and Appointing Authority relating thereto, shall be as specified in the existing Recruitment Rules for the respective posts.

11. Disqualifications.— (1) No person, -

(a) who has entered into or contracted a marriage with a person having a spouse living or,

(b) who having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said posts.

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such a person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

(2) No person shall be eligible for appointment to any posts unless he is a citizen of India.

12. *Ad hoc or temporary appointments or promotion.*— Notwithstanding anything contained in these rules, the Government may fill up any vacancy in the service by making *ad hoc* appointment or *ad hoc* promotion thereto.

13. *Appointment on contract.*— Notwithstanding anything contained in these rules, wherever it is necessary in the interest of the administration or in the public interest to appoint a person to any service, class or category otherwise than in accordance with the rules, the Government may appoint any person on contract for a period not exceeding three years at a time. A person who is so appointed shall not be regarded as a Member of the service to which he is appointed.

14. *Appointment on Deputation.*— Notwithstanding anything contained in these rules, appointment to the service may also be made by the Government by deputation of a person holding analogous post in Government service for a period not exceeding three years.

Provided that such person on deputation shall draw the pay as per the terms and conditions governing the deputation.

15. *Reemployment of pensioners.*— The orders and instructions issued by the Government regarding reemployment of pensioners, from time to time shall be made applicable.

16. *Appointment on compassionate grounds.*— Notwithstanding anything contained in these rules, the Government may appoint the son or the unmarried daughter or the wife or the husband of the employee who died in harness while in service or retired on medical grounds in a post, subject to terms and conditions, as may be specified by Government by a general or special order in this regard.

17. *Unit of Appointment.*—The unit of appointment to the categories included in the Puducherry Combined Common Service for Municipalities and Panchayats in the Union Territory of Puducherry (All the Municipalities and Commune Panchayats and all the Regions taken together).

18. *Notification of vacancies.*—In the case of filling up of posts by direct recruitment, the Director, Local Administration Department, shall notify the vacancies to the Employment Exchange as well as in the newspapers.

19. *Intimation of vacancies to the Selection Committee.*— Whenever vacancies arise in respect of the posts covered under this service, the Director, Local Administration Department, shall send necessary proposal to the Chairperson of the Selection Committee for selection of eligible and suitable candidates for filling up of the post.

20. *Authority for making Selection of Candidates.*— (1) Selection of candidates for appointment to all the categories or cadres included in this common service by direct recruitment or promotion shall be made by the Committee consisting of the following:-

Cadre/Category	Composition of the Committee
<b>Category I</b>	
Superintending Engineer.	(i) Chief Secretary to Government .. Chairman
	(ii) Secretary to Government .. Member (Local Administration).
	(iii) Secretary to Government .. Member (Public Works).
	(iv) Director of Local Administration .. Member Department.
<b>Category II</b>	
Executive Engineer.	(i) Chief Secretary to Government .. Chairman
	(ii) Secretary to Government .. Member (Local Administration).



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	(iii) Secretary to Government (Public Works).	.. Member
	(iv) Director of Local Administration Department.	.. Member
<b>Category III</b>	(i) Secretary to Government (Local Administration).	.. Chairman
(i) Assistant Engineer (Civil)	(ii) Director of Local Administration Department.	.. Member
(ii) Assistant Engineer (Sanitation).	(iii) Deputy Director (Municipal Administration), Local Administration Department.	.. Member
	(iv) Deputy Director (Rural Development), Local Administration Department.	.. Member
<b>Category IV</b>	(i) Director of Local Administration Department.	.. Chairman
(i) Junior Engineer (Civil).	(ii) Deputy Director Municipal Administration, Local Administration Department.	.. Member
(ii) Junior Engineer (Mechanical).		
(iii) Junior Engineer (Electrical).	(iii) Deputy Director (Rural Development), Local Administration Department.	.. Member
(iv) Draughtsman Grade-I.		
(v) Draughtsman Grade-II.		
(vi) Overseer		
<b>Category V</b>		
Work Inspector		

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(2) The Chairman of the Committee may co-opt any officer of the Government to be a Member of the Selection Committee.

(3) The Selection Committee, if considered necessary, may conduct any written test or *viva-voce* tests or both the tests for selection of candidates for any post.

(4) The selection made by the Selection Committee shall be given effect to after it is approved by the Appointing Authority.

21. *Appointing Authority.*— Appointments in respect of all the posts included in Categories I, II, III, IV and V above shall be made by the Government, in accordance with the selection made by the Selection Committee.

22. *Appointment to the Service.*— All appointments to the service shall be made by the Appointing Authority from a list of approved candidates. Such list shall be prepared by the Selection Committee, in accordance with the provisions made in these rules. Where the candidates in such list are arranged in their order of merit, appointments to the service shall be made in such order.

23. *Medical fitness.*— The direct recruits shall have to produce before appointment a certificate of physical fitness from the Resident Medical Officer, Government General Hospital.

24. *Prescription of Departmental Tests.*— (1) The Government may, by special or general order, prescribe any Departmental tests for any category of posts.

(2) A person who has already commenced probation, in a category before coming into force of these rules may be required to pass such Departmental tests if any, prescribed, before the end of the probation period.

(3) The Government may, by general or special order, exempt any class or category of persons from passing the Departmental Tests.

25. *Conduct and discipline.*— (1) The Members of the service shall, in respect of conduct and discipline be governed by the Central Civil Services (Conduct) Rules, 1964 and Central Civil Services (Classification, Control and Appeal) Rules, 1965.

Provided that the following are the authorities for the purpose of these rules:-

Cadre/Category	Disciplinary Authority	Appellate Authority	Reviewing Authority
(1)	(2)	(3)	(4)
<b>Category I</b> Superintending Engineer	Secretary to Government (Local Administration).	Chief Secretary to Government.	Government
<b>Category II</b> Executive Engineer			
<b>Category III</b> (i) Assistant Engineer (Civil)			
(ii) Assistant Engineer (Sanitation).			

(1)	(2)	(3)	(4)
<b>Category IV</b>			
(i) Junior Engineer (Civil).	Director, Local Administration Department.	Secretary to Government (Local Administration.	Government
(ii) Junior Engineer. (Mechanical).			
(iii) Junior Engineer (Electrical).			
(iv) Draughtsman Grade-I.			
(v) Draughtsman Grade-II.			
(vi) Overseer			
<b>Category V</b>			
Work Inspector.			

(2) Notwithstanding anything contained in the above-mentioned rules, Commissioner of Municipality/Commune Panchayat may place any person included in this common service under suspension.

Provided the Commissioner shall forthwith report to the Disciplinary Authority/Appointing Authority, the circumstances in which the suspension order was made.

26. *Probation.*— (1) Any person appointed to this service, shall from the date on which he/she joins duty, be on probation for a period of two years on duty.

Provided that the Government may extend the period of probation for a further period of one year.

Provided that a person who has already commenced probation in a category before the coming into force of these rules shall complete his/her probation.

Provided further that any decision for extension of a probation period shall be taken ordinarily within eight weeks after the expiry of the previous probationary period and communicated in writing to the concerned officer together with the reasons for so doing within the said period.

(2) On completion of the period of probation or any extension thereof, officers shall, if, considered fit for permanent appointment, be retained in their appointments on regular basis and be confirmed in due course against the available substantive vacancies, as the case may be.

(3) If, during the period of probation or any extension thereof, as the case may be, Government is of the opinion that an officer is not fit for permanent appointment, Government may discharge or revert the officer to the post held by him prior to his appointment in the service, as the case may be.

(4) During the period of probation, or any extension thereof, candidates may be required, Government to undergo such courses of training and instructions and to pass examinations and tests as Government may deem fit, as a condition of satisfactory service.

(5) In respect of other matters relating to probation, the Members of the service will be governed by the rules applicable to Government employees and instructions issued by the Government in this regard from time to time.

27. *Date of commencement of probation of person appointed or promoted temporarily.*—If, a person who is appointed or promoted temporarily is subsequently appointed thereto, it shall be open to the appointing authority to allow such person to commence his probation from the date of such appointment or promotion or from an earlier date, such date not being earlier to the date of his first temporary appointment or promotion as the appointing authority may, in his discretion, decide;

Provided that it shall not be construed as authorizing the appointment or promotion on probation of a person from a date on which he did not possess the qualification prescribed for such appointment or promotion.

28. *Training and departmental test.*— Every person appointed to any category of posts, may be required to undergo any training or test or both for any specific period relating to Engineering cadre either during the probation period or after of the probation period.

29. *Appointing Authority to consider suitability for full membership.*— As soon as a probationer in any class or category of the service has completed his prescribed period of probation or the extended period of probation, as the case may be, the appointing authority shall consider his suitability for full membership to the class or category as the case may be, provided he has passed the tests, if any, which he should pass during the period of his probation.

If, appointing authority is satisfied that the probationer is suitable for full membership, he shall pass an order declaring him to be an approved probationer.

30. *Confirmation.*— Any person who is appointed against any category of posts included in the Schedule annexed to these rules, may be confirmed in the service only after satisfactory and successful completion of the period of his/her probation.

31. *Seniority.*— The rank and seniority of a person appointed to any class or category of the be determined with reference to his rank in the list of approved candidates or promotion panel, as the case may be, and the principles as laid down by the Government and general instruction issued by the Government from time to time shall be applicable.

Provided that the rank and seniority of a person who was already a Member of the service of the respective Municipality or Commune Panchayat on the date of coming into force of these rules, shall be determined with reference to the date of his appointment on regular basis to that service, class or category thereto.

Provided further that if, a common direct recruitment was made in respect of any category of posts mentioned under rule 3, then the relative seniority of all such direct recruits shall be determined by the order of merit list in which they are selected for appointment on the recommendations of the Selection Committee.

31-A. *Determination of relative seniority of direct recruits and promotees.*— The principles as laid down by the Government and general instructions issued by the Government from time to time shall be applicable.

32. *Promotion.*— Every promotion to a class or category of service to which promotion should be made on the ground of merit and ability, seniority being taken into account only where merit and ability are approximately equal, shall be made only from a promotion panel drawn up by the Selection Committee.

Cadre/Category	Authority
(1)	(2)
<b>Category I</b> Superintending Engineer	Government
<b>Category II</b> Executive Engineer	
<b>Category III</b> (i) Assistant Engineer (Civil) (ii) Assistant Engineer (Sanitation)	
<b>Category IV</b> (i) Junior Engineer (Civil) (ii) Junior Engineer (Mechanical) (iii) Junior Engineer (Electrical) (iv) Draughtsman Grade-I (v) Draughtsman Grade-II (vi) Overseer	
<b>Category V</b> Work Inspector	
	Director Local Administration Department

35. *Joining Time*.—Every Member of the service shall in respect of Joining Time, be governed by the Central Civil Services (Joining Time) Rules, 1979 and orders as are for the time being applicable to the corresponding category or classification of Government servants of the Union of Puducherry. The Commissioner of Municipality or Commune Panchayat, as the case will be the authority competent to allow the Joining Time as per the time-limit prescribed in the rules. In cases of extension of joining time beyond 30 days, sanction of the Government shall be obtained.

36. *Travelling Allowance*.— (1) Every Member of the service shall in respect of claiming of travelling allowance be governed by the same rules and orders as are for the time being applicable to the corresponding category or classification of Government Servants of the Union territory of Puducherry.

(2) The orders issued by the Government from time to time under Travelling Allowance Rules regulating the claims of the traveling allowance by the Government servants shall *mutatis mutandis* be applicable to the Members of the service.

(3) The Director or any other officer duly authorized by him in this behalf shall be the controlling officer for the purpose of admitting the claims of traveling allowance of the members of the service.

37. *Non-entitlement of Leave Travel Concession*.— The Members of the service are not entitled for Leave Travel Concession.

38. *Medical Attendance*.— (1) Every Member of the service shall in respect of reimbursement of medical expenses, be governed by the same rules and orders as are for the time being applicable to the corresponding category of classification of Government Servants of the Union territory of Puducherry.

(2) The Director or any other officer duly authorized by him in this behalf shall be the controlling officer for the purpose of admitting the claims for reimbursement of the medical expenses.

(3) The orders issued by the Government from time to time under Medical Attendance Rules prescribing the authorized Medical Attendants, scale of fees for consultation, *etc.*, shall *mutatis mutandis* be applicable to the members of the service.

39. *Provident Fund*.—(1) Every Member of the service who has joined the Municipal or Commune Panchayat service prior to 01-01-2004 shall, in respect of Provident Fund benefits, be governed by the provisions of the General Provident Fund (Central Services) Rules, 1960 as are for the time being applicable to the Government Servants of the Union territory of Puducherry.

(2) The Local Fund Examiner shall be the Accounts Officer for the purposes of maintenance of Provident Fund accounts in respect of the Members of the service.

(3) The Examiner, Local Fund Accounts shall immediately after coming into force of these rules, open a Personal Deposit Account in the name of the Examiner, Local Fund Accounts under "Local Self-Government Combined Common Engineering Service Personnel Provident Fund Personal Deposit Account" in the State Bank of India (Main Branch), Puducherry. All the Municipal councils and Commune Panchayat Councils shall immediately transfer the amount standing at the credit of the respective Members of the service in various banks to the State Bank of India (Main Branch) and credit them into the "Local Self-Government Combined Common Engineering Service Personnel Provident Fund Personal Deposit Account". All sums deducted from the Pay Bills of the Members of the service as provident fund deduction and other amounts relating to the Provident Fund shall be credited into the said Account.

(4) The Local Fund Examiner may, in consultation with Government may withdraw such portion of the amount at such intervals from the Savings Bank Account for investment of the said amount as fixed term deposit of any kind as may be decided by the Government from time to time.

(5) Any interest earned from the Savings Bank Account, *viz.*, "Local Self-Government Combined Common Engineering Service Personnel Provident Fund Personal Deposit Account" and the fixed / term deposits, shall be credited into a separate Savings Account *viz.*, "Provident Fund Interest Account" to be opened in the same Bank.

(6) The Savings Bank Account and deposits shall be in the name of Examiner, Local Fund Account and it shall be operated by him.



(7) The Examiner, Local Fund Accounts shall pay to the credit of the Account of a subscriber, interest at such rate as may be determined for each year in consultation with the Government.

(8) The orders, decisions and instructions issued by the Government from time to time under the General Provident Fund (Central Services) Rules, 1960 coming into force of these rules shall *mutatis mutandis* be applicable to the Members of the service.

(9) The Commissioner of the Municipality or the Commune Panchayat shall be the sanctioning authority for the purpose of advances and withdrawals to the subscribers under sub-rule (1) of rule 12 of the General Provident Fund (Central Service) Rules, 1960.

40. Loans and Advances.— (1) The Commissioner of the Municipality or the Commune Panchayat may sanction short-term and interest free advances (except Advance of LTC) to the Members of the service from the own Funds of the Municipality or Commune Panchayat, as the case may be subject to the eligibility, financial limit, procedures and conditions as laid down in the relevant rules as are time being applicable to the corresponding categories of Government employees. The amount recoverable from the Member of the service on account of such advance shall be remitted into the respective Municipal or Commune Panchayat Fund.

(2) The Commissioner of the Municipality or the Commune Panchayat may, with the approval of the Municipal Council or Commune Panchayat Council sanction long-term and interest bearing advances to the Members of the service from the own Funds of the Municipality or Commune Panchayat. As the case may be, subject to the eligibility, financial limit, procedures and conditions as laid down in the relevant rules as are time being applicable to the corresponding categories of Government employees. The amount recoverable from the Member of the service on account of such advance sanctioned shall be remitted into the respective Municipal or Commune Panchayat Fund.

41. *Insurance scheme.*—All the members of the service shall be covered under the Group Savings Linked Insurance Scheme (GSLIS) of Life Insurance Corporation as applicable to the employees of Municipalities and Commune Panchayats.

42. *Payment of immediate relief to the family of a Member of the service who dies while in service.*—The families of the Members of the service who die while in harness may be sanctioned immediate relief by the Commissioners of Municipalities or Commune Panchayats in accordance with the orders as are applicable to the corresponding categories of Government employees.

43. *Age of superannuation.*— Every Member of the service shall retire on superannuation on attaining the age limit as applicable to the corresponding categories of employees in the Government.

44. *Resignation.*— Every Member of the service shall, in respect of resignation, be governed by the provisions of the same rules as are for the time being applicable to the corresponding categories or classification of the Government Servants of Government of Puducherry. For the purpose of acceptance of resignation, the following are the Competent Authorities:-

Cadre/Category	Authority
(1)	(2)
<b>Category I</b> Superintending Engineer	Government
<b>Category II</b> Executive Engineer	
<b>Category III</b> (i) Assistant Engineer (Civil) (ii) Assistant Engineer (Sanitation)	
<b>Category IV</b> (i) Junior Engineer (Civil) (ii) Junior Engineer (Mechanical) (iii) Junior Engineer (Electrical) (iv) Draughtsman Grade-I (v) Draughtsman Grade-II (vi) Overseer	
<b>Category V</b> Work Inspector	Director Local Administration Department

45. *Dismissal/removal.*— Every Member of the service shall, in respect of dismissal/removal, be governed by the provisions of the same rules as are for the time being applicable to the corresponding categories or classification of the Government Servants of Government of Puducherry. For the purpose of dismissal/removal, the following are the Competent Authorities:-

Cadre/Category	Authority
(1)	(2)
<b>Category I</b> Superintending Engineer	Government
<b>Category II</b> Executive Engineer	
<b>Category III</b> (i) Assistant Engineer (Civil) (ii) Assistant Engineer (Sanitation)	
<b>Category IV</b> (i) Junior Engineer (Civil) (ii) Junior Engineer (Mechanical) (iii) Junior Engineer (Electrical) (iv) Draughtsman Grade-I (v) Draughtsman Grade-II (vi) Overseer	
<b>Category V</b> Work Inspector	Director Local Administration Department

46. *Pension, Gratuity, encashment of leave and other retirement benefits.*— (1) Every member of the service shall, in respect of Pension, Gratuity and other retirement benefits, be governed by the provisions of the same rules as are for the time being applicable to the corresponding categories or classification of the Government servants of Government of Puducherry.

(2) The Commissioner of the Municipality or Commune Panchayat shall be the Pension Sanctioning Authority for the purpose of sanctioning of pension, gratuity and other retirement benefits to the Members of the service.

47. Constitution of Pension Fund for the purpose of grant of pension, encashment of leave and other retirement benefits to the Members of the service who joined prior to 01-01-2004.— (1) A pension fund shall be constituted for the purpose of grant of pension, encashment of leave and other retirement benefits to the members of the service who joined service prior to 01-01-2004 out of the contribution paid by the Municipalities and Commune Panchayats at such rate as may be fixed by the Government.

(2) The Examiner, Local Fund Accounts shall immediately after coming into force of these rules, open a Personal Deposit Account in the name of the Examiner. Local Fund Accounts under "Local Self-Government Combined Common Engineering Service Personnel Pension Fund Personal Deposit Account" in the State Bank of India (Main Branch), Puducherry.

(3) Any interest earned from the Savings Bank Account, viz., "Local Self-Government Combined Common Engineering Service Personnel Pension Fund Personal Deposit Account" of Examiner of Local Fund Accounts" and the fixed/term deposits, shall be credited into a separate Savings Account viz., "Local Self-Government Combined Common Engineering Service Personnel Pension Fund" to be opened in the same Bank.

(4) The Savings Bank Account and deposits shall be in the name of Examiner, Local Fund Account and it shall be operated by him.

48. *Application of New Pension Scheme.*— Every Member who enters into the service on or after 01-01-2004 shall be covered by the New Pension Scheme as are for the time being applicable to the Government Servants of the Union territory of Puducherry.

49. *Delegation of powers.*— (1) Notwithstanding anything contained in these rules, the Government may authorize any officer to exercise any one or more powers vested in them and in the like manner withdraw the same.

(2) The exercise of the powers delegated above shall be subject to such restrictions and conditions as may be prescribed and also subject to control and revision by the Government or by such officers as may be empowered by them in this behalf. The Government shall also have power to control and revise the acts or proceedings of any officers empowered.

50. *Application of other rules.*— All rules regulating the service conditions of the employees of the Government issued from time to time under any law shall be applicable to the members of the service.

51. *Power to relax.*—Where the Government is satisfied that if any, undue hardship is caused by these rules in any particular case, it may by order dispense with or relax the requirement of these rules to such extent and subject to such condition as may consider necessary for dealing with the case in a just and equitable manner.

(By order)

**L. MOHAMED MANSOOR,**  
Additional Secretary to Government.

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